



FACT SHEET

YOUR RIGHTS IN AN UNLICENSED ASSISTED LIVING SETTING

The rights of a resident at an Assisted Living Facility depend on the type of license the facility holds. The contract and/or lease signed by the resident of an unlicensed facility will determine the rights and responsibilities of both the resident and the facility. In addition to a contract, provisions of Michigan's Public Health Code will protect a resident of a licensed Adult Foster Care home or a Home for the Aged. It is important to review your contract and to be aware of the licensure status of your facility.

UNLICENSED ASSISTED LIVING:

An unlicensed assisted living facility will provide those services it has contractually agreed to provide, usually room and board and supportive services. A resident in need of more care than the facility is able to provide, may have the option of employing a home health agency to assist them with care needs. Other residents may be asked to move out of the facility. An eviction will be governed by the terms of the contract and/or lease signed by the resident. In addition, the resident will receive the protections guaranteed by Michigan's landlord-tenant laws.

An assisted living facility is responsible for providing the services agreed upon in the admissions contract. If you are unhappy with the services you are receiving, you should check your contract or admission agreement for a **grievance procedure**.

If you are concerned about the quality of care an unlicensed facility is providing, you can file a complaint with **The Michigan Department of Human Services, Office of Children and Adult Licensing**. However, the Office of Children and Adult Licensing has no authority to require an unlicensed facility to meet its contractual responsibilities or to sanction them for providing substandard care. A licensing consultant will investigate if there is a concern that the facility is providing care services that would require it to be licensed, i.e. ongoing supervision, protection, and personal care. They can order a facility to stop providing care services or apply for the appropriate license. If the health and safety of a resident is in jeopardy, a call can be placed to **Adult Protective Services**. This may result in the resident being transferred to a more appropriate care setting.

For more information please call our toll free number:

1-866-485-9393